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Bank of New York Mellon, as Trustee,
Mortgage Electronic Registration
Systems, Inc.**

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KURT B. LUDLOW, an individual,

Plaintiff,

vs.

SILVER STATE FINANCIAL SERVICES, *et*
al.,

Defendants.

Case No. 2:10 -cv-00313-PMP-LRL

**STIPULATION AND ORDER TO
STAY ACTION**

To promote coordination and efficiency in light of the fact that the instant case has been identified as a potential tag-along action for transfer to the United States District Court for the District of Arizona for consolidated pretrial proceedings before the Honorable James A. Teilborg in the MDL Proceeding styled *In re Mortgage Electronic Registration Systems, Inc. Litigation*,

MDL No. 2119 (“MERS MDL”), Plaintiff and Defendants Litton Loan Servicing LP (“Litton”), Bank of New York Mellon, f/k/a/ the Bank of New York, as Trustee on behalf of the Holders of the Terwin Mortgage Trust 2007-6ALT, Asset Backed Certificates, Series 2007-6-ALT (“BNY Mellon, as Trustee”), and Mortgage Electronic Registration Systems, Inc. (“MERS”), stipulate and agree to the following:

1. On March 8, 2010, defendant Recontrust Company (“Recontrust”) removed this action to this Court from the Eighth Judicial District Court for Clark County, the State of Nevada. Docket No. 1.

2. On April 8, 2010, Litton filed a Notice of Tag-Along Action with the Judicial Panel for Multidistrict Litigation (“Panel”), in which Litton identified this action for transfer to the MERS MDL. Docket No. 17.

3. In the event that this matter is transferred to the MERS MDL, some or all of the claims will be consolidated for pretrial proceeding before the Honorable James A. Teilborg of the United States District Court for the District of Arizona, the judge presiding over the MERS MDL.

4. Therefore, in order to preserve the resources of the parties and of the Court, plaintiff and defendants Litton, BNY Mellon, as Trustee, and MERS stipulate and agree that this action shall be stayed until twenty days after the later of:

(a) a final determination by the MDL Panel as to whether this case will be transferred to the MERS MDL; and

(b) a ruling by Judge Teilborg of the United States District Court for the District of Arizona as to which, if any, of the claims in the Complaint shall be remanded to this Court for adjudication in this forum.

5. The parties further stipulate and agree that the stay described herein shall apply to all case deadlines.

6. Participation in this Stipulation does not waive or otherwise operate to prejudice BNY Mellon, as Trustee, Litton, and MERS’ rights to raise any appropriate defense, counterclaim, or cross-claim or third party claim.

7. The parties respectfully request that the Court enter this Stipulation as an Order of

1 the Court.

2
3 Respectfully submitted,

4 /s/ Jeffrey D. Conway (w/ permission)

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/s/ Gary E. Schnitzer

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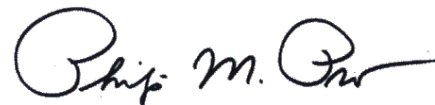
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BNY Mellon, as Trustee, Mortgage
Electronic Registration Systems, Inc.**

20 May 13, 2010

21 **ORDER**

22 IT IS SO ORDERED.

23
24 DATED: May 17, _____, 2010

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27 UNITED STATES DISTRICT JUDGE